

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

PERSONAL AUDIO, LLC

§

v.

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TOGI ENTERTAINMENT, INC.

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Case No. 2:13-CV-13-JRG-RSP  
Lead Case

**ORDER**

Currently before the Court are Personal Audio's Objections to Magistrate Judge Payne's Claim Construction Memorandum and Order (Dkt. No. 199). The Court first observes that while Personal Audio has requested review under Federal Rule of Civil Procedure 72(b), the ruling in question was non-dispositive and is thus reviewed under F.R.C.P. 72(a), which requires this Court to consider and modify or set aside any part of a non-dispositive order "that is clearly erroneous or is contrary to law." The Court, having reviewed the claim construction order, briefing, and objections, finds that no part of the Claim Construction Memorandum and Order is clearly erroneous or contrary to law. Accordingly,

IT IS ORDERED that Personal Audio's Objections to Magistrate Judge Payne's Claim Construction Memorandum and Order (Dkt. No. 199) are **OVERRULED**.

**So ORDERED and SIGNED this 4th day of September, 2014.**

  
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RODNEY GILSTRAP  
UNITED STATES DISTRICT JUDGE